

Honorable Judge Benjamin H. Settle

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

CLYDE RAY SPENCER, MATTHEW RAY
SPENCER, and KATHRYN E. TETZ,

Plaintiffs,

v.

FORMER DEPUTY PROSECUTING
ATTORNEY FOR CLARK COUNTY
JAMES M. PETERS, DETECTIVE
SHARON KRAUSE, SERGEANT
MICHAEL DAVIDSON, CLARK COUNTY
PROSECUTOR'S OFFICE, CLARK
COUNTY SHERIFF'S OFFICE, THE
COUNTY OF CLARK, SHIRLEY
SPENCER, and JOHN DOES ONE
THROUGH TEN,

Defendants.

NO. C11-5424-BHS

ORDER GRANTING SUMMARY
JUDGMENT FOR DEFENDANT
MICHAEL DAVIDSON

[PROPOSED]

THIS MATTER having come on regularly for hearing on defendant Davidson's motion for summary judgment, and the Court having reviewed the record herein and, to the extent deemed relevant and admissible, reviewed the material submitted by the parties concerning this motion, including:

1. Defendant Davidson's Summary Judgment Motion and the supporting declarations of Jeffrey Freimund (with Exhibits 1 – 26 attached thereto), Sharon Krause (with

1 Exhibits 1 – 6 attached thereto), and the other evidence referenced in defendant Davidson's
2 summary judgment motion, including the declarations of Shirley Spencer (with Exhibit A
3 attached thereto, Docket Nos. 53 and 53-1) and Matthew Hanson (with Exhibits A and B
4 attached thereto, Docket Nos. 54 and 54-1);

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6 2. Plaintiffs' Response to Defendant Davidson's Summary Judgment Motion, if
7 any; and

8 3. Defendant Davidson's Reply in Support of Summary Judgment;
9 and being fully advised, now, therefore,

10 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant
11 Davidson's motion for summary judgment is granted and all claims against defendant
12 Davidson are hereby dismissed with prejudice.

13
14 DONE IN OPEN COURT this _____ day of June, 2012.

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16
17 U. S. DISTRICT JUDGE BENJAMIN H. SETTLE

18
19 Presented by:

20
21 s/Jeffrey A. O. Freimund
22 JEFFREY A. O. FREIMUND, WSBA No. 17384
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CERTIFICATE OF SERVICE

I hereby certify that on May 23, 2012, I caused to be electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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